

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Work Charged Establishment – I.D.Case No.44/05 filed by Sri T. Venkata Ramulu, former NMR Driver, Office of the Deputy Executive Engineer, RWS Sub-Division, Manopad, Mahabubnagar District. – Case filed in Hon'ble High Court of A.P., Hyderabad – Permission for payment of back wages – Orders – Issued.

G.O.Rt.No. 1777

Dated:26 -11-2008.
Read the following:-

From the Engineer-in-Chief, RWS & Sanitation Department,
Hyderabad Lr.No. SO.II(2)/ IDA 44/208, dated:19-08-2008.

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ORDER:

The Engineer-in-Chief, RWS & Sanitation Department, Hyderabad in the reference read above has stated that the Executive Engineer, RWS&S, Gadwal has informed that, on 22-07-2008 a warrant of attachment of movable property, dated:17-07-2008 was received from Hon'ble Labour Court-III, Hyderabad for non payment of the amount of Rs.14,060/- as per the orders of Hon'ble Labour Court-III, dated:09-07-2008 and implement the court order a bond of undertaking for the control of property given by Executive Engineer, RWS & S Division, Gadwal.

The Engineer-in-Chief, RWS & Sanitation Department has further stated that the Executive Engineer, RWS & Sanitation Department, Gadwal has informed that Sri T. Venkata Ramulu was taken as driver on daily wages by the Department from 01-08-1995 to 28-12-1998 and was terminated on 01-01-1999 by the Deputy Executive Engineer, RWS Sub-Division, Manopad, Mahabubnagar District. In view of his termination Sri T. Venkata Ramulu filed a petition before the Labour Court-III, Hyderabad for his reinstatement into service. Based on the petitioner claim the court issued award in favour of petitioner stating that, the petitioner shall be reinstated as driver on daily wages with continuity of service but without back wages and any other benefits (award, dated:09-09-2005). The award was published on 22-10-2005 G.O.Rt.No.2141. Subsequently on 14-02-2007, the Executive Engineer, RWS Division, Gadwal has filed a Writ Petition in High Court to stay the award of Labour Court vide W.P.No.8400/2007. The W.P. came up for admission on 04-06-2007 and no interim orders were passed. The W.P. is now pending for final hearing in the Hon'ble High Court.

Now the Labour Court-III, Hyderabad has issued warrant of attachment of movable property in the division office if the amount Rs.14,060/- is not paid to the labour court by 14-08-2008. The Executive Engineer has approached the Government Pleader for his legal opinion to settle the issue according to the attachment order. The Government Pleader for P.R and Rural, High Court of A.P., Hyderabad has also given his opinion on request of Executive as there is no interim direction in W.P.No.8400/2007 filed by E.E., RWS&S, Gadwal against the orders of Hon'ble Labour Court, dated:09-09-2005. Department has no option except to implement the award passed in I.D.No.44 of 2005 till the disposal of W.P.No.8400/2007 to avoid legal complications in the said E.P.

Therefore, the Engineer-in-Chief, RWS&S has requested the Government to sanction orders/release an amount of Rs.14,060/- in favour of Executive Engineer, RWS&S Division, Gadwal for making payment to avoid further legal complication.

Government after careful examination of the matter hereby accord permission to Engineer-in-Chief, RWS & Sanitation, Hyderabad, for payment of wages amounting to Rs. Rs.14,060/- in favour of Executive Engineer, RWS&S Division, Gadwal for making payment to the petitioner Sri T. Venkataramulu, former NMR Driver as directed by the Hon'ble Labour Court-III, Hyderabad, in I.D.No.44/05 and as per legal opinion of Government Pleader for P.R., High Court of A.P., to avoid further legal complications.

This order issues with the concurrence of Finance (PC.III) Department, vide their U.O.No.29655/489/A1/PC.III/08, dated:25.10.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M. SAHU
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer-in-Chief, RWS & Sanitation Deptt.,Hyderabad.

The individual through Engineer-in-Chief, RWS & S, Hyderabad.

Copy to:

The Executive Engineer, RWS & S Division, Gadwal, Mahabubnagar District.

The P.S. to Minister (Panchayat Raj).

The P.S. to Minister (RWS&S).

The P.S. to Secretary to Government(PR), PR&RD Department.

The P.S. to Prl. Secretary to Government(RWS), PR & RD Department.

The Finance (PC.III) Department.

S.F./S.C.s.

//FORWARDED::BY ORDER//

SECTION OFFICER